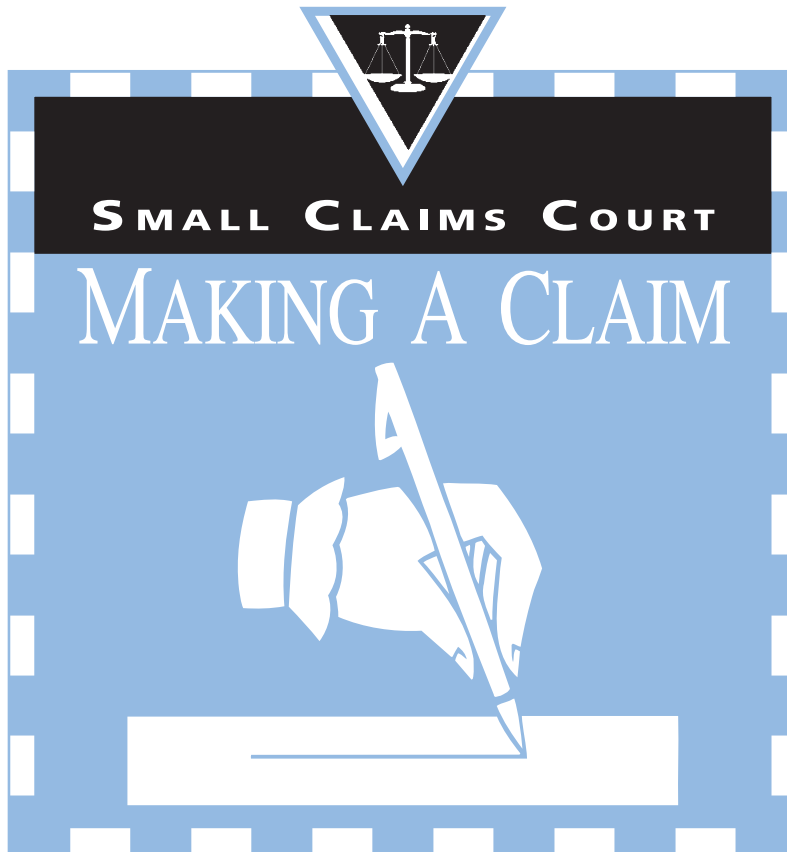


NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM



PROVINCIAL COURT OF BRITISH COLUMBIA



MAKING A CLAIM

If Proceedings Previously Initiated Before Civil Resolution Tribunal

Step 1

COMPLETE the Notice of Civil Resolution Tribunal Claim form, print clearly and firmly. There are 5 copies, so be sure all copies are legible. If you accessed this form from the Government of BC website, you may also complete it using the computer and then print all 5 copies. For more help there is a guide called “Making a Claim – Proceedings Previously Initiated Before the Civil Resolution Tribunal.”

Step 2

FILE the Notice of Civil Resolution Tribunal Claim and all supporting documents by taking or mailing it to the small claims registry. If there is a claim against a company or a society, you must file a printout of a company search showing the most recent address of the company or society on file with the Registrar of Companies. There is no fee for filing the documents. The staff will check the form and, when it is accepted for filing, apply the registry stamp, add on the expenses from any application in Small Claims Court and service fees, and assign a file number. Then they will return the copies you need for your records and for serving on the other party(ies).

Step 3

SERVE each other party named in the NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM with a copy of the documents and a blank copy of the REPLY form if applicable. The purpose is to be sure the other party knows they are now being sued in Small Claims Court. For more help with service there is a guide called “Serving Documents”.

AND THEN if a reply is filed, the court registry will send you a copy. If no reply is filed at the court registry within the time limit on the NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM, and the reply is not continued from the tribunal, you may apply for a DEFAULT ORDER. You will have to file a certificate of service to prove the NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM has been served.

Step 4

BEFORE a date for a settlement conference or trial conference can be set, you must file a CERTIFICATE OF COMPLIANCE.

FILED BY:

The filing party can be the initiating party(ies) from the Civil Resolution Tribunal (CRT) dispute or a party from the CRT dispute that has a claim against another party.

WHO?

You must be sure you include all parties from the CRT dispute. The claimant is the party that started the dispute in the CRT. The defendant is the party that initial claim in the CRT was against.

The third party is a party the responding party in the CRT added to the CRT dispute.

You should include the addresses provided by each party as their address for service in the Civil Resolution Tribunal dispute.

Is there more than one claimant, defendant or third party? If so, put the names side by side in the space given.

WHY?

You can only bring a claim to Small Claims Court that is within the jurisdiction of the Civil Resolution Tribunal if a notice of objection was filed with the CRT, the CRT refuses to resolve a claim or the Court granted an order that the CRT not adjudicate the claim. If the CRT does not have jurisdiction over the matter, you can start a small claim using the NOTICE OF CLAIM (FORM 1).

DEPOSIT?

The Court may make an order that the person who has filed a notice of objection with the CRT make a deposit as a condition of making or defending a claim in Small Claims Court. If you want to make an APPLICATION FOR DEPOSIT you must complete and file FORM 35.

WHERE? WHEN?

A notice of civil resolution tribunal claim must be filed at the small claims registry nearest to where

a) the defendant lives or carries on business, OR

b) where the transaction or event that resulted in the claim took place.

WHAT? HOW MUCH?

The dispute before the CRT (claims and responses) will form the claim that will be before the Small Claims Court. You must file all the CRT initiating notices and responses you have received.

You must also file the document that shows why you are able to bring this claim to Small Claims Court. It will be a certificate or notice from the CRT or an order from Small Claims Court.

Forms and guides can be found at the Government of BC website: www.gov.bc.ca/smallclaims

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

REGISTRY FILE NUMBER
REGISTRY LOCATION
Civil Resolution Tribunal FILE NUMBER

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

WHO?

Fill in the name, address and telephone number of the person(s) or business(es) that initiated the file in the Civil Resolution Tribunal.

FILED BY: _____ (the "filing party")
Party Name(s)

CLAIMANT(S)

NAME _____
 ADDRESS _____
 CITY, TOWN, MUNICIPALITY _____ TEL. # _____
 PROV. _____ POSTAL CODE _____

Fill in the name, address and telephone number of the person(s) or business(es) the claim is against.

DEFENDANT(S)

NAME _____
 ADDRESS _____
 CITY, TOWN, MUNICIPALITY _____ TEL. # _____
 PROV. _____ POSTAL CODE _____

(If applicable) Fill in the name, address and telephone number of the person(s) or business(es) the defendant thinks should pay all or part of the claim.

THIRD PARTY

NAME _____
 ADDRESS _____
 CITY, TOWN, MUNICIPALITY _____ TEL. # _____
 PROV. _____ POSTAL CODE _____

WHY?

What is bringing this proceeding to Small Claims Court.

TAKE NOTICE that this proceeding is being filed in accordance with Rule 1.1 as:

a **notice of objection** was filed and the civil resolution tribunal has issued a Certificate.

the civil resolution tribunal **refuses** to resolve a claim after the proceeding commenced and the civil resolution tribunal has issued notice.

an Order was granted that the civil resolution tribunal **not adjudicate the claim**.

DEPOSIT?

An order for deposit under section 56.3 of the *Civil Resolution Tribunal Act* is being sought. [Complete and file Form 35]

WHERE?

Tell where the claim happened.

CITY, TOWN, MUNICIPALITY _____
 PROV. British Columbia

WHEN?

Tell when the claim happened.

WHAT?

HOW MUCH?

File the pleadings from the civil resolution tribunal that describe what is being claimed, how much is being claimed and what is being disputed.

DOCUMENTS TO BE FILED WITH THE NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM
[Check all applicable boxes and submit each of the documents separately along with each copy of this form]

all initiating notices, as defined in the *Civil Resolution Tribunal Act*, received by the filing party;

all responses, made under section 7 of the *Civil Resolution Tribunal Act*, received and made by the filing party;

a certificate provided by the tribunal to the filing party under section 56.2 of the *Civil Resolution Tribunal Act*;

a notice provided by the tribunal to the filing party to notify the filing party that the tribunal refuses to resolve the tribunal small claim;

any order that the civil resolution tribunal not adjudicate the tribunal small claim.

Amount of your claim

TIME LIMIT FOR REPLY
 A reply must be completed and filed within 14 days from being served with this notice, unless a response was already filed in the civil resolution tribunal and served on the other party/parties. If a reply is not filed, a court order may be made without any further notice.

\$ _____
 + EXPENSES _____
 + SERVICE FEES _____
 = **TOTAL CLAIMED \$** _____

The Court Address for filing documents is:

court copy

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

REGISTRY FILE NUMBER
REGISTRY LOCATION
Civil Resolution Tribunal FILE NUMBER

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

WHO?

This party initiated the file in the Civil Resolution Tribunal. They now have a claim in Small Claims Court.

FILED BY: _____ Party Name(s)

NAME _____ **CLAIMANT(S)**

ADDRESS _____

CITY, TOWN, MUNICIPALITY _____ TEL. # _____

PROV. _____ POSTAL CODE _____

This party was named as the respondent in the Civil Resolution Tribunal. They are now defending a claim in Small Claims Court.

NAME _____ **DEFENDANT(S)**

ADDRESS _____

CITY, TOWN, MUNICIPALITY _____ TEL. # _____

PROV. _____ POSTAL CODE _____

This party was added to the dispute by the defendant. The defendant thinks they should pay all or part of the claim.

NAME _____ **THIRD PARTY**

ADDRESS _____

CITY, TOWN, MUNICIPALITY _____ TEL. # _____

PROV. _____ POSTAL CODE _____

WHY?

This is what the filing party says is bringing this proceeding to Small Claims Court.

TAKE NOTICE that this proceeding is being filed in accordance with Rule 1.1 as:

a **notice of objection** was filed and the civil resolution tribunal has issued a Certificate.

the civil resolution tribunal **refuses** to resolve a claim after the proceeding commenced and the civil resolution tribunal has issued notice.

an Order was granted that the civil resolution tribunal **not adjudicate the claim**.

DEPOSIT?

An order for deposit under section 56.3 of the *Civil Resolution Tribunal Act* is being sought. [Complete and file Form 35]

WHERE?

This is where the claimant says the claim happened.

CITY, TOWN, MUNICIPALITY _____

PROV. British Columbia

WHEN?

This is when the claimant says it happened.

WHAT?

HOW MUCH?

This is what is being claimed, how much is being claimed and what is being disputed from the Civil Resolution Tribunal.

DOCUMENTS TO BE FILED WITH THE NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

[Check all applicable boxes and submit each of the documents separately along with each copy of this form]

all initiating notices, as defined in the *Civil Resolution Tribunal Act*, received by the filing party;

all responses, made under section 7 of the *Civil Resolution Tribunal Act*, received and made by the filing party;

a certificate provided by the tribunal to the filing party under section 56.2 of the *Civil Resolution Tribunal Act*;

a notice provided by the tribunal to the filing party to notify the filing party that the tribunal refuses to resolve the tribunal small claim;

any order that the civil resolution tribunal not adjudicate the tribunal small claim.

Amount of your claim

TIME LIMIT FOR REPLY

A reply must be completed and filed within 14 days from being served with this notice, unless a response was already filed in the civil resolution tribunal and served on the other party/parties. If a reply is not filed, a court order may be made without any further notice.

\$ _____

+ EXPENSES _____

+ SERVICE FEES _____

= **TOTAL CLAIMED \$** _____

The Court Address for filing documents is:

other party copy

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

REGISTRY FILE NUMBER
REGISTRY LOCATION
Civil Resolution Tribunal FILE NUMBER

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

WHO?

This party initiated the file in the Civil Resolution Tribunal. They now have a claim in Small Claims Court.

FILED BY: _____ Party Name(s)

CLAIMANT(S)

NAME _____
 ADDRESS _____
 CITY, TOWN, MUNICIPALITY _____ TEL. # _____
 PROV. _____ POSTAL CODE _____

This party was named as the respondent in the Civil Resolution Tribunal. They are now defending a claim in Small Claims Court.

DEFENDANT(S)

NAME _____
 ADDRESS _____
 CITY, TOWN, MUNICIPALITY _____ TEL. # _____
 PROV. _____ POSTAL CODE _____

This party was added to the dispute by the defendant. The defendant thinks they should pay all or part of the claim.

THIRD PARTY

NAME _____
 ADDRESS _____
 CITY, TOWN, MUNICIPALITY _____ TEL. # _____
 PROV. _____ POSTAL CODE _____

WHY?

This is what the filing party says is bringing this proceeding to Small Claims Court.

TAKE NOTICE that this proceeding is being filed in accordance with Rule 1.1 as:

a **notice of objection** was filed and the civil resolution tribunal has issued a Certificate.

the civil resolution tribunal **refuses** to resolve a claim after the proceeding commenced and the civil resolution tribunal has issued notice.

an Order was granted that the civil resolution tribunal **not adjudicate the claim**.

DEPOSIT?

An order for deposit under section 56.3 of the *Civil Resolution Tribunal Act* is being sought. *[Complete and file Form 35]*

WHERE?

This is where the claimant says the claim happened.

CITY, TOWN, MUNICIPALITY _____
 PROV. British Columbia

WHEN?

This is when the claimant says it happened.

WHAT?

HOW MUCH?

This is what is being claimed, how much is being claimed and what is being disputed from the Civil Resolution Tribunal.

DOCUMENTS TO BE FILED WITH THE NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

[Check all applicable boxes and submit each of the documents separately along with each copy of this form]

all initiating notices, as defined in the *Civil Resolution Tribunal Act*, received by the filing party;

all responses, made under section 7 of the *Civil Resolution Tribunal Act*, received and made by the filing party;

a certificate provided by the tribunal to the filing party under section 56.2 of the *Civil Resolution Tribunal Act*;

a notice provided by the tribunal to the filing party to notify the filing party that the tribunal refuses to resolve the tribunal small claim;

any order that the civil resolution tribunal not adjudicate the tribunal small claim.

Amount of your claim

TIME LIMIT FOR REPLY

A reply must be completed and filed within 14 days from being served with this notice, unless a response was already filed in the civil resolution tribunal and served on the other party/parties. If a reply is not filed, a court order may be made without any further notice.

_____ \$

+ EXPENSES _____

+ SERVICE FEES _____

= **TOTAL CLAIMED \$** _____

The Court Address for filing documents is:

other party copy

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

REGISTRY FILE NUMBER
REGISTRY LOCATION
Civil Resolution Tribunal FILE NUMBER

WHO?

FILED BY: _____ Party Name(s)

NAME _____ **CLAIMANT(S)**
 ADDRESS _____

CITY, TOWN, MUNICIPALITY _____ TEL. # _____
 PROV. _____ POSTAL CODE _____

NAME _____ **DEFENDANT(S)**
 ADDRESS _____

CITY, TOWN, MUNICIPALITY _____ TEL. # _____
 PROV. _____ POSTAL CODE _____

NAME _____ **THIRD PARTY**
 ADDRESS _____

CITY, TOWN, MUNICIPALITY _____ TEL. # _____
 PROV. _____ POSTAL CODE _____

SERVICE COPY

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

WHY?

TAKE NOTICE that this proceeding is being filed in accordance with Rule 1.1 as:

a **notice of objection** was filed and the civil resolution tribunal has issued a Certificate.

the civil resolution tribunal **refuses** to resolve a claim after the proceeding commenced and the civil resolution tribunal has issued notice.

an Order was granted that the civil resolution tribunal **not adjudicate the claim**.

DEPOSIT?

An order for deposit under section 56.3 of the *Civil Resolution Tribunal Act* is being sought. [Complete and file Form 35]

WHERE?

CITY, TOWN, MUNICIPALITY _____ **WHEN?** _____
 PROV. British Columbia _____

WHAT?
HOW MUCH?

DOCUMENTS TO BE FILED WITH THE NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM
 [Check all applicable boxes and submit each of the documents separately along with each copy of this form]

all initiating notices, as defined in the *Civil Resolution Tribunal Act*, received by the filing party;

all responses, made under section 7 of the *Civil Resolution Tribunal Act*, received and made by the filing party;

a certificate provided by the tribunal to the filing party under section 56.2 of the *Civil Resolution Tribunal Act*;

a notice provided by the tribunal to the filing party to notify the filing party that the tribunal refuses to resolve the tribunal small claim;

any order that the civil resolution tribunal not adjudicate the tribunal small claim.

Amount of your claim _____ \$

TIME LIMIT FOR REPLY _____

+ EXPENSES _____

+ SERVICE FEES _____

= TOTAL CLAIMED \$ _____

A reply must be completed and filed within 14 days from being served with this notice, unless a response was already filed in the civil resolution tribunal and served on the other party/parties. If a reply is not filed, a court order may be made without any further notice.

The Court Address for filing documents is:

service copy

CERTIFICATE OF SERVICE

REGISTRY FILE NUMBER

REGISTRY LOCATION

CERTIFICATE OF SERVICE

Fill in:

Who served the document(s)?

the **name of the party** served;

When were the document(s) served?

Where were the document(s) served?

I certify that

I, _____

served _____

on _____
Day/Month/Year

at _____
Street address or location, city, province

with _____

LIST and ATTACH ALL document(s) that you served.

Tell how service took place by checking appropriate box(es) for:

by

an individual;

- Leaving a copy of it with him or her.
 Mailing a copy of it by registered mail to him or her.

a company as defined in the *Business Corporations Act*;

- Mailing a copy of it by registered mail to the registered office of the company.
 Leaving a copy of it at the registered office of the company
 at the place of business of the company, with a receptionist or a person who appears to manage or control the company's business there
 with a director, officer, liquidator, trustee in bankruptcy or receiver manager of the company.

Insurance Corporation of BC (ICBC);

- Mailing a copy of it by registered mail to the legal department at the Insurance Corporation of British Columbia (ICBC).
 Leaving a copy of it at the legal department at the Insurance Corporation of British Columbia (ICBC).

an extraprovincial company as defined in the *Business Corporations Act*;

- Mailing a copy of it by registered mail to the attorney shown in the corporate registry.
 Leaving a copy of it with the attorney shown in the corporate registry.
 Leaving a copy of it at the head office shown in the corporate registry if that head office is in British Columbia.
 Mailing a copy of it by registered mail to the head office shown in the corporate registry if that head office is in British Columbia.

a partnership;

- Mailing a copy of it by registered mail to a partner.
 Leaving a copy of it with a partner
 at the place of business of the partnership, with a person who appears to manage or control the partnership business there
 with a receptionist who works at a place of business of the partnership.

a municipal corporation, regional district or other local government body;

- Giving a copy to the clerk, deputy clerk or a similar official.

a young person;

- Leaving a copy of the notice with the defendant's mother, father or guardian.

a society within the meaning of the *Societies Act*;

- Mailing a copy of it by registered mail to the mailing address of the society's registered office on file with the Registrar of Companies.
 Leaving a copy of it at the delivery address of the society's registered office on file with the Registrar of Companies
 with a director, officer, receiver manager or liquidator of the society.

a corporation incorporated outside British Columbia if it is not an extraprovincial company;

- Mailing a copy of it by registered mail to a place of business or registered office of the corporation outside British Columbia.
 Leaving a copy of it at a place of business or registered office of the corporation outside British Columbia with a receptionist or a person who appears to manage or control the corporation's business
 with a director, officer, liquidator, trustee in bankruptcy or receiver manager of the corporation.

ordinary mail (and fill in the date mailed);

- Mailing a copy of it by ordinary mail to that person's address on _____
Day/Month/Year

(NOTE: The date the documents are presumed served (above) is 14 days after this date.)

(Indicate other service method or instructions given by a judge or registrar for service.)

OTHER SERVICE method or alternate method ordered by the Court.

NOTE: You must give proof of service by REGISTERED MAIL by attaching one of the following:

1. a copy, produced by fax or otherwise, of the signature obtained by Canada Post at the time the document was delivered.
2. a print-out of the delivery confirmation made available on the Internet by Canada Post (<http://www.canadapost.ca>).

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

REGISTRY FILE NUMBER
REGISTRY LOCATION
Civil Resolution Tribunal FILE NUMBER

WHO?

Fill in the name, address and telephone number of the person(s) or business(es) that initiated the file in the Civil Resolution Tribunal.

FILED BY: _____ Party Name(s)

NAME	
ADDRESS	CLAIMANT(S)
CITY, TOWN, MUNICIPALITY	TEL. #
PROV.	POSTAL CODE

Fill in the name, address and telephone number of the person(s) or business(es) the claim is against.

NAME	
ADDRESS	DEFENDANT(S)
CITY, TOWN, MUNICIPALITY	TEL. #
PROV.	POSTAL CODE

Fill in the name, address and telephone number of the person(s) or business(es) the defendant thinks should pay all or part of the claim.

NAME	
ADDRESS	THIRD PARTY
CITY, TOWN, MUNICIPALITY	TEL. #
PROV.	POSTAL CODE

WHY?

What is bringing this proceeding to Small Claims Court.

TAKE NOTICE that this proceeding is being filed in accordance with Rule 1.1 as:

a **notice of objection** was filed and the civil resolution tribunal has issued a Certificate.

the civil resolution tribunal **refuses** to resolve a claim after the proceeding commenced and the civil resolution tribunal has issued notice.

an Order was granted that the civil resolution tribunal **not adjudicate the claim**.

DEPOSIT?

An order for deposit under section 56.3 of the *Civil Resolution Tribunal Act* is being sought. [Complete and file Form 35]

WHERE?

Tell where the claim happened.

CITY, TOWN, MUNICIPALITY _____

PROV. British Columbia

WHEN?

Tell when the claim happened.

WHAT?

HOW MUCH?

File the pleadings from the civil resolution tribunal that describe what is being claimed, how much is being claimed and what is being disputed.

DOCUMENTS TO BE FILED WITH THE NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

[Check all applicable boxes and submit each of the documents separately along with each copy of this form]

all initiating notices, as defined in the *Civil Resolution Tribunal Act*, received by the filing party;

all responses, made under section 7 of the *Civil Resolution Tribunal Act*, received and made by the filing party;

a certificate provided by the tribunal to the filing party under section 56.2 of the *Civil Resolution Tribunal Act*;

a notice provided by the tribunal to the filing party to notify the filing party that the tribunal refuses to resolve the tribunal small claim;

any order that the civil resolution tribunal not adjudicate the tribunal small claim.

Amount of your claim

TIME LIMIT FOR REPLY

A reply must be completed and filed within 14 days from being served with this notice, unless a response was already filed in the civil resolution tribunal and served on the other party/parties. If a reply is not filed, a court order may be made without any further notice.

The Court Address for filing documents is:

	\$
+ EXPENSES	
+ SERVICE FEES	
= TOTAL CLAIMED \$	

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

claimant's copy